

Message Text

UNCLASSIFIED

PAGE 01 PARIS 19116 01 OF 03 151253Z
ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 AID-05 CEQ-01 CIAE-00 SOE-02
DODE-00 EB-08 EPA-04 INR-10 IO-14 L-03 NSF-02
NSAE-00 PM-05 SS-15 SP-02 DOE-15 INT-05 SSO-00
INRE-00 NSCE-00 ICAE-00 CG-00 DOTE-00 DLOS-09
FMC-02 OIC-02 /124 W

-----073085 151348Z /47

O 151147Z JUN 78

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 3268

USDOC WASHDC IMMEDIATE

UNCLAS SECTION 01 OF 03 PARIS 19116

USDOC PLEASE PASS NOAA

E.O.11652: N/A

TAGS: SENV TGEN FR US

SUBJ: AMOCO CADIZ: LONG TERM SCIENTIFIC STUDY OF
ECOLOGICAL IMPACT

EMBASSY PARIS TRANSMITS TEXT DRAFT AGREEMENT BETWEEN
CNEXO AND NOAA, DRAFTED BY CNEXO, FOR JOINT STUDY OF
ECOLOGICAL EFFECTS OF AMOCO CADIZ OIL SPILL. WE HAVE
MADE SOME OBVIOUS MINOR EDITORIAL CORRECTIONS IN THE
ENGLISH. BEGIN TEXT.

COOPERATIVE AGREEMENT FOR THE ECOLOGICAL STUDY
OF THE AMOCO CADIZ OIL SPILL BETWEEN CNEXO AND NOAA

I - PARTIES

THE PARTIES OF THIS AGREEMENT ARE THE CENTRE NATIONAL
POUR L'EXPLOITATION DES OCEANS, OF THE FRENCH MINISTRY
OF INDUSTRY, HEREAFTER REFERRED TO AS CNEXO, AND THE
NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 PARIS 19116 01 OF 03 151253Z

OF THE UNITED STATES DEPARTMENT OF COMMERCE, HEREAFTER
REFERRED TO AS NOAA.

II - BACKGROUND

ON MARCH 16, 1978, THE SUPERTANKER "AMOCO CADIZ"
RAN AGROUND OFF THE COAST OF BRITTANY IN FRANCE, AND

DISCHARGED WITHIN A FORTNIGHT APPROXIMATELY 220,000 TONS OF LIGHT CRUDE OIL AND BUNKER FUEL INTO THE MARINE ENVIRONMENT. SHORTLY THEREAFTER, NOAA OIL SPILL RESEARCH TEAM WAS DISPATCHED TO THE SITE TO MAKE CONTACT AND COLLABORATE WITH ITS FRENCH COUNTERPART, CNEXO, AND ITS MAIN FIELD CENTER IN BREST, THE "CENTRE OCEANOLOGIQUE DE BRETAGNE". PRELIMINARY DISCUSSIONS TO SET UP A FRENCH-AMERICAN COLLABORATION WITHIN THE FRAMEWORK OF THE GENERAL ECOLOGICAL IMPACT STUDIES PROGRAM PREPARED BY CNEXO AT THE REQUEST OF THE FRENCH MINISTRY OF THE ENVIRONMENT LED TO THE FOLLOWING AGREEMENT.

III - PURPOSE

THE PURPOSE OF THIS AGREEMENT IS TO DEFINE THE MANNER IN WHICH NOAA AND US SCIENTISTS WILL PARTICIPATE IN CNEXO'S LONG-TERM STUDY OF THE ECOLOGICAL CONSEQUENCES OF THE "AMOCO CADIZ" OIL SPILL, AND HOW A SPECIAL US FUNDING NOT TO EXCEED 2,000,000 DOLLARS LOCATED IN NOAA WILL BE USED IN BOTH FRENCH AND US SCIENTIFIC INSTITUTIONS. A JOINT CNEXO-NOAA SCIENTIFIC COMMISSION WILL PREPARE A RESEARCH WORK PLAN WITHIN THE GENERAL FRAMEWORK OF THE FRENCH PROGRAM, AND IDENTIFY THE RESEARCH FACILITIES AND/OR RESEARCHERS WHICH WILL PERFORM SOME ITEMS OF THE WORK PLAN.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 PARIS 19116 01 OF 03 151253Z

IV - JOINT SCIENTIFIC COMMISSION

THERE SHALL BE ESTABLISHED A JOINT SCIENTIFIC COMMISSION (HEREAFTER "THE COMMISSION") COMPOSED OF NINE MEMBERS WITH TWO NATIONAL DELEGATIONS: FIVE FRENCH DELEGATES AND FOUR US DELEGATES. THE COMMISSION SHALL HAVE A FRENCH CHAIRMAN AND A US VICE-CHAIRMAN, EACH OF THEM ACTING AS CHAIRMAN FOR THEIR NATIONAL DELEGATION. FRENCH MEMBERS OF THE COMMISSION SHALL BE DESIGNATED BY CNEXO, AND US MEMBERS BY NOAA. A VACANCY IN THE COMMISSION SHALL BE FILLED IN THE SAME WAY IN WHICH THE ORIGINAL APPOINTMENT WAS MADE. DECISIONS OF THE COMMISSION SHOULD BE TAKEN BY CONSENSUS. IN CASE A CONSENSUS CANNOT BE REACHED WITHIN THE COMMISSION, THE ISSUE WOULD FIRST BE REFERRED TO THE CHAIRMAN AND THE VICE-CHAIRMAN FOR RESOLUTION. FAILING AN AGREEMENT AT THAT LEVEL THE ISSUE WOULD BE REFERRED TO THE PRESIDENT OF CNEXO AND THE ADMINISTRATOR OF NOAA FOR FINAL ADVICE TO THE COMMISSION AND/OR RESOLUTION.

V - FUNCTION OF THE COMMISSION

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 PARIS 19116 02 OF 03 151325Z
ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 AID-05 CEQ-01 CIAE-00 SOE-02
DODE-00 EB-08 EPA-04 INR-10 IO-14 L-03 NSF-02
NSAE-00 PM-05 SS-15 SP-02 DOE-15 INT-05 SSO-00
INRE-00 NSCE-00 ICAE-00 CG-00 DOTE-00 DLOS-09
FMC-02 OIC-02 /124 W

-----073635 151349Z /47

O 151147Z JUN 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 3269
USDOC WASHDC IMMEDIATE

UNCLAS SECTION 02 OF 03 PARIS 19116

IN AWARDING CONTRACTS FOR EACH SPECIFIC PROJECT IN
THE RESEARCH PLAN, NOAA MAY ONLY DO SO TO THOSE
FACILITIES AND/OR RESEARCHERS IDENTIFIED BY THE
COMMISSION. THESE CONTRACTS WILL BE AWARDED ON A SOLE
SOURCE BASIS USING THE SPECIAL FUNDINGS AT THE DISPOSAL
OF NOAA FOR THIS PURPOSE. THESE CONTRACTS WILL CONFORM
TO THE CLAUSES COMMON TO FEDERAL CONTRACTS GENERALLY IN
THE US AND TO NATIONAL CONTRACTS IN FRANCE. PROGRAMS
WHICH ARE REJECTED DUE TO LACK OF AGREEMENT MAY BE
REFERRED TO EITHER NOAA OR CNEXO FOR FUNDING OUTSIDE THE
TERMS OF THIS AGREEMENT IF EITHER NOAA OR CNEXO WISHES
TO PURSUE IN THE FRAMEWORK OF THEIR OWN GENERAL PROGRAM
ON THE OIL SPILL POLLUTION BY "AMOCO CADIZ".

VI - COMPENSATION OF THE COMMISSION MEMBERS - US MEMBERS

US MEMBERS OF THE COMMISSION WHO ARE APPOINTED TO
FEDERAL SERVICE UNDER AUTHORITY OF 5 USC 3 109 SHALL BE
COMPENSATED AT A RATE NOT TO EXCEED 180 DOLLARS PER DAY
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 PARIS 19116 02 OF 03 151325Z

FOR EACH DAY THE SUBSTANTIAL PORTION OF WHICH THEY ARE ACTUALLY ENGAGED IN THE PERFORMANCE OF COMMISSION DUTIES OR COMMISSION RELATED TRAVEL. ALL US MEMBERS AND THE US VICE-CHAIRMAN SHALL RECEIVE TRAVEL EXPENSES AND PER DIEM AS PROVIDED BY THE NOAA TRAVEL HANDBOOK. THE US VICE-CHAIRMAN SHALL CERTIFY ALL CLAIMS FOR COMPENSATION TRAVEL EXPENSES AND PER DIEM. TRAVEL TO LOCATIONS OTHER THAN BREST, FRANCE OR WASHINGTON, D.C. SHALL BE SPECIFICALLY APPROVED BY THE ASSISTANT ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT, NOAA.

FRENCH MEMBERS

ALL FRENCH MEMBERS AND THE FRENCH CHAIRMAN SHALL RECEIVE TRAVEL EXPENSES AND PER DIEM AS PROVIDED BY CNEXO TRAVEL REGULATIONS. THE FRENCH CHAIRMAN SHALL CERTIFY ALL CLAIMS FOR TRAVEL EXPENSES AND PER DIEM. TRAVEL TO LOCATIONS OTHER THAN BREST, FRANCE OR WASHINGTON, D.C. SHALL BE SPECIFICALLY APPROVED BY THE PRESIDENT OF CENXO.

REIMBURSEMENT OF ALL COMPENSATION, TRAVEL AND PER DIEM EXPENSES OF BOTH US AND FRENCH MEMBERS OF THE COMMISSION SHALL BE MADE BY NOAA.

VII - CONTRACTS FOR RESEARCH

TERMS OF THIS AGREEMENT WILL BECOME EFFECTIVE UPON THE SIGNATURE OF THE APPROVING OFFICIALS OF CNEXO AND NOAA. THE AGREEMENT SHALL REMAIN IN EFFECT UNTIL FINAL PAYMENT OF INVOICES, FULL PAYMENT OF ALL CONTRACTS AWARDED, OR SUBMISSION OF THE FINAL REPORT OF THE COMMISSION, WHICHEVER EVENT OCCURS LAST.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 PARIS 19116 02 OF 03 151325Z

APPOINTMENT TO THE COMMISSION MAY PRECLUDE THE AWARD OF CONTRACTS DESIGNATED BY THE COMMISSION TO THOSE RESEARCH FACILITIES WHERE THE MEMBER IS OR HAS RECENTLY BEEN EMPLOYED.

IT IS AGREED THAT SHARING OF RESEARCH FUNDINGS UNDER THIS AGREEMENT SHOULD BE APPROXIMATELY SIXTY PER CENT FOR FRENCH INVESTIGATORS AND/OR FRENCH SCIENTIFIC INSTITUTIONS, AND FORTY PER CENT FOR AMERICAN ONES. SOME DEVIATION FROM THE ABOVE STATEMENT WILL BE ACCEPTABLE IF THE COMMISSION BY CONSENSUS DECIDES TO

SUPPORT INVESTIGATIONS IN COUNTRIES OTHER THAN THE
US AND FRANCE.

VIII - WORK OF THE COMMISSION

THE CNEXO-NOAA JOINT SCIENTIFIC COMMISSION WILL
HAVE AN OPERATIONAL ROLE. THE WORK OF THE COMMISSION
WILL BE DIVIDED INTO FOUR PHASES AS SET FORTH BELOW.

IN THE FIRST PHASE, THE COMMISSION WILL DEVELOP A
COMPREHENSIVE RESEARCH PLAN COVERING ALL ASPECTS OF THE
ECOLOGICAL IMPACT STUDY, INCLUDING BUT NOT LIMITED TO AN
INVENTORY RESEARCH AND SAMPLING ALREADY PERFORMED,
IDENTIFICATION OF FURTHER SAMPLING TO BE CARRIED OUT
IN THE IMMEDIATE FUTURE IN ORDER TO PRESERVE DATA FOR
FURTHER RESEARCH, IDENTIFICATION OF NECESSARY LONGER-
TERM MONITORING OF THE MARINE AND COASTAL ENVIRONMENT,
DESCRIPTION OF THE MAXIMUM GEOGRAPHIC AREA IN WHICH SUCH
STUDIES SHALL BE CONDUCTED, IDENTIFICATION OF CHEMICAL

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 PARIS 19116 03 OF 03 151325Z
ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 AID-05 CEQ-01 CIAE-00 SOE-02
DODE-00 EB-08 EPA-04 INR-10 IO-14 L-03 NSF-02
NSAE-00 PM-05 SS-15 SP-02 DOE-15 INT-05 SSO-00
INRE-00 NSCE-00 ICAE-00 CG-00 DOTE-00 DLOS-09
FMC-02 OIC-02 /124 W

-----073637 151349Z /47

O 151147Z JUN 78

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 3270

USDOC WASHDC IMMEDIATE

UNCLAS SECTION 03 OF 03 PARIS 19116

AND BIOLOGICAL ANALYSES TO WHICH THE SAMPLES COLLECTED
SHOULD BE SUBJECTED, IDENTIFICATION OF RESEARCH
FACILITIES AND/OR RESEARCHERS THAT ARE TECHNICALLY
CAPABLE OF PERFORMING SAMPLING, MONITORING AND/OR
ANALYSES AND DESIGNATION OF APPROPRIATE STEPS FOR

COMPLETION OF ANALYSES AND FOR PREPARATION OF THE INTERIM AND FINAL REPORTS ON RESEARCH PROJECTS.

IN ITS SECOND PHASE, THE COMMISSION WILL MEET TO IDENTIFY THE RESEARCH FACILITIES AND/OR RESEARCHERS TO BE AWARDED CONTRACTS TO PERFORM SPECIFIC PROJECTS IDENTIFIED IN THE RESEARCH PLAN. PREFERENCE WILL BE GIVEN TO FRENCH AND US FACILITIES AND/OR RESEARCHERS UNLESS IT IS DETERMINED BY THE COMMISSION THAT A FACILITY OR RESEARCHER FROM ANOTHER NATION IS MORE CAPABLE OF COMPLETING A CERTAIN PROJECT ON A COMPETITIVE BASIS.

IN ITS THIRD PHASE, THE COMMISSION WILL MEET AS NECESSARY TO MONITOR THE PROGRESS OF THE VARIOUS
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 PARIS 19116 03 OF 03 151325Z

RESEARCH PROJECTS SPECIFIED IN THE RESEARCH PLAN AND REVIEW INTERIM REPORTS AS THEY BECOME AVAILABLE. IF NECESSARY, MODIFICATIONS TO THE RESEARCH PLAN MAY BE CONSIDERED OR ALTERNATE RESEARCH FACILITIES AND/OR RESEARCHERS MAY BE SELECTED AT THIS TIME.

IN ITS FOURTH PHASE, THE COMMISSION WILL MEET, TO CONSIDER THE FINAL REPORTS OF EACH RESEARCH FACILITY AND/OR RESEARCHER INVOLVED IN THE STUDY. THE COMMISSION WILL THEN PREPARE AND SUBMIT TO CNEXO AND NOAA ITS FINAL REPORT OF THE WORK CONDUCTED ON THE LONG-TERM ECOLOGICAL CONSEQUENCES OF THE "AMOCO CADIZ" OIL SPILL. THE FINAL REPORT OF THE COMMISSION SHALL BE APPROVED BY CONSENSUS OR ISSUES REFERRED FOR RESOLUTION IN ACCORDANCE WITH THE TERMS OF ARTICLE IV ABOVE.

IX - DATA RIGHTS

ALL DATA GENERATED BY THE COMMISSION AND BY THE RESEARCH PROJECTS RESPONSIBLES IDENTIFIED IN THE RESEARCH PLAN, INCLUDING INTERIM AND FINAL REPORTS, SHALL BE MADE AVAILABLE FOR GENERAL USE BY CNEXO AND NOAA IN BOTH FRANCE AND US.

X - EARLY TERMINATION

THIS AGREEMENT SHALL BE TERMINATED EARLIER IN THE EVENT CNEXO AND NOAA ARE UNABLE TO SET UP THE COMMISSION OR IN THE EVENT THE COMMISSION FAILS TO APPROVE A RESEARCH PLAN AS DESCRIBED IN ARTICLE IV WITHIN SIX MONTHS OF THE EFFECTIVE DATE OR REACH A DECISION ON A SUBSTANTIAL SCIENTIFIC ISSUE AFTER 18 MONTHS DURATION OF THE COMMISSION

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 PARIS 19116 03 OF 03 151325Z

FOR CNEXO FOR NOAA
END TEXT.
HARTMAN

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, AGREEMENT DRAFT, ENVIRONMENT, AMOCO CADIZ, STUDIES
Control Number: n/a
Copy: SINGLE
Draft Date: 15 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PARIS19116
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780250-0551
Format: TEL
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780656/aaaabvyv.tel
Line Count: 342
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 95916088-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2339370
Secure: OPEN
Status: NATIVE
Subject: AMOCO CADIZ: LONG TERM SCIENTIFIC STUDY OF ECOLOGICAL IMPACT EMBASSY PARIS TRANSMITS TEXT DRAFT AGREEMENT BETWE
TAGS: SENV, TGEN, FR, US
To: STATE COM
Type: TE
vdkgvkey: odb://SAS/SAS.dbo.SAS_Docs/95916088-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014